
MINUTES

THURSDAY 11 AUGUST 2011

**9.16AM – 10.25AM
10.50AM – 11.59AM**

**Committee Room 1,
Ground Floor, Council Offices,
101 Wakefield Street
Wellington**

PRESENT:

Mayor Wade-Brown	(9.16am – 10.25am, 10.50am – 11.59am)
Councillor Ahipene-Mercer	(9.31am – 10.25am, 10.57am – 11.59am)
Councillor Best (Chair)	(9.16am – 10.25am, 10.50am – 11.59am)
Councillor Cook	(9.16am – 10.25am, 10.50am – 11.59am)
Councillor Coughlan	(9.16am – 10.25am, 10.51am – 11.57am)
Councillor Eagle	(9.16am – 10.25am)
Councillor Gill	(9.16am – 10.25am, 10.50am – 11.30am, 11.32am – 11.59am)
Councillor Lester	(9.16am – 10.25am, 10.50am – 11.32am)
Councillor McKinnon	(9.16am – 10.25am, 10.51am – 11.57am)
Councillor Marsh	(9.16am – 10.25am, 10.50am – 11.59am)
Councillor Morrison	(9.16am – 9.38am, 9.45am – 10.25am)
Councillor Pannett	(9.16am – 10.25am, 10.50am – 11.59am)
Councillor Pepperell	(9.16am – 10.25am, 10.50am – 11.59am)
Councillor Ritchie	(9.21am – 9.26am, 9.27am – 10.19am, 10.21am – 10.25am, 10.50am – 11.29am, 11.32am – 11.59am)

APOLOGIES:

Councillor Foster (absence)

IN ATTENDANCE:

Councillor Chris Peterson – Masterton District Council (10.50am – 11.59am)

Councillor Tim Sheppard – Porirua City Council (10.50am – 11.59am)

Councillor Penny Gaylor – Kapiti Coast District Council (10.50am – 11.59am)

DEMOCRATIC SERVICES OFFICERS IN ATTENDANCE:

Luka Dujmovic – Committee Adviser

Fiona Dunlop – Committee Adviser

189/11P **APOLOGIES**
(1215/52/IM)

Moved Councillor Best, seconded Councillor McKinnon, the motion that the Strategy and Policy Committee accept apologies for absence from Councillor Foster.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

- 1. Accept apologies for absence from Councillor Foster.*

190/11P **CONFLICT OF INTEREST DECLARATIONS**
(1215/52/IM)

NOTED:

There were no conflicts of interest declared.

191/11P **PETITIONS**
(1215/52/IM)

NOTED:

There were no petitions.

192/11P **DEPUTATIONS**
(1215/52/IM)

NOTED:

There were no deputations.

193/11P **PUBLIC PARTICIPATION**
(1215/52/IM)

NOTED:

There was no public participation.

194/11P **REPORT OF THE “WASTERWATER TREATMENT PLANT AND
LANDFILL COMMITTEE”: JOINT MANAGEMENT OF WATER
SERVICES BY PORIRUA AND WELLINGTON CITY COUNCILS**
(9.18AM – 9.52AM)

Report of Bryan Smith - Principal Policy Advisor
(1215/52/IM) (REPORT 2)

Moved Councillor Best, seconded Mayor Wade-Brown, the substantive motion with changes to recommendations 3, 4 and 8.

THAT the Strategy and Policy Committee:

3. Agree that a Joint Waste Management Project, structured as in appendix one of the 24 July report to the Wastewater Treatment Plant and Landfill Committee (WTPLC) (attached to this report as **annex one**), be initiated to investigate the potential benefits, costs and risks of Porirua City Council (PCC) and Wellington City Council (WCC) jointly managing waste services under a Council Controlled Trading Organisation (CCTO) **or other entity as appropriate.**
4. Note that the first stage of the investigation will focus on a high-level comparison of the status quo with a jointly owned **entity** by weighing the benefits and costs, and evaluating the risks associated with **such an entity**, and, dependent upon the outcome of the first stage and subject to the agreement of the project governance group, will proceed to the second stage of the investigation, which would:
 - propose an operating structure for the entity that will provide ongoing joint waste management services;
 - make recommendations on the areas of activity that should or should not be managed and/or provided by the entity;
 - propose a statement of intent for the entity;

- propose the assets to be held by the entity and the Councils' shareholding in the entity, as appropriate;
 - propose a constitution, trust order, memorandum of understanding or other such document as may be relevant, for the entity, that includes such matters as governance arrangements, financial contributions, and distribution of surpluses, if any;
 - make recommendations on the transition path to establish the entity, including timeframes, resource requirements, and operational implications; and
 - make any other recommendations considered necessary to implement joint waste management.
8. Note that any proposal to form **an entity** would need to be the subject of consultation using the special consultative procedure, and that, if so, the most appropriate process would be to include any such proposal in the 2012-2022 Long-term plan process.

The substantive motion with changes to recommendations 3, 4 and 8 was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Note that the joint management and harmonisation of Wellington City and Porirua City Councils' waste-related services, policies and regulations could optimise environmental outcomes, and drive financial and operational efficiencies.*
3. *Agree that a Joint Waste Management Project, structured as in appendix one of the 24 July report to the Wastewater Treatment Plant and Landfill Committee (WTPLC) (attached to this report as **annex one**), be initiated to investigate the potential benefits, costs and risks of Porirua City Council (PCC) and Wellington City Council (WCC) jointly managing waste services under a Council Controlled Trading Organisation (CCTO) **or other entity as appropriate**.*
4. *Note that the first stage of the investigation will focus on a high-level comparison of the status quo with a jointly owned **entity** by weighing the benefits and costs, and evaluating the risks associated with **such an entity**, and, dependent upon the outcome of the first stage and subject to the agreement of the project governance group, will proceed to the second stage of the investigation, which would:*
 - *propose an operating structure for the entity that will provide ongoing joint waste management services;*

- *make recommendations on the areas of activity that should or should not be managed and/or provided by the entity;*
 - *propose a statement of intent for the entity;*
 - *propose the assets to be held by the entity and the Councils' shareholding in the entity, as appropriate;*
 - *propose a constitution, trust order, memorandum of understanding or other such document as may be relevant, for the entity, that includes such matters as governance arrangements, financial contributions, and distribution of surpluses, if any;*
 - *make recommendations on the transition path to establish the entity, including timeframes, resource requirements, and operational implications; and*
 - *make any other recommendations considered necessary to implement joint waste management.*
5. *Note that the following waste-related activities will be considered for joint management (noting that some of these services may be contracted to third parties for delivery):*
- *landfill operations, including emissions management*
 - *transfer stations*
 - *waste recovery operations (for example retailing, scrap metal recovery, energy recovery, composting, electronics recycling, etc)*
 - *management of hazardous materials*
 - *after care of closed waste facilities*
 - *collection of refuse*
 - *collection and processing of recycling*
 - *street cleaning*
 - *litter bin collection*
 - *graffiti removal*
 - *environmental monitoring and resource consenting*
 - *waste minimisation education and related information services*
 - *waste related regulation development and enforcement*
 - *advice, in consultation with related council business units, on operational policy and financial matters, including proposed fees for services and opportunities for cost savings and efficiency gains.*
 - *strategic policy advice and advocacy*
6. *Note that strategic policy advice and advocacy could remain the responsibility of each Council, in cooperation with any joint waste management entity, and that recommendations on this and other activities to be jointly managed will be part of the work of the project.*

7. *Agree that proposals and recommendations made by the Joint Waste Management Project will be referred to both Councils for decision and/or to initiate any public consultation on such proposals.*
8. *Note that any proposal to form **an entity** would need to be the subject of consultation using the special consultative procedure, and that, if so, the most appropriate process would be to include any such proposal in the 2012-2022 Long-term plan process.*
9. *Note that recommendations from the Joint Waste Management Project will be made to the Councils in time for any proposals to be included in the 2012-2022 Long-term plan.*
10. *Agree that the draft Terms of Reference for the Joint Waste Management Project attached as appendix two of the 24 July report to the WTPLC (attached to this report as **annex one**) will govern the work of the Project.*

(Councillor Ritchie joined the meeting at 9.21am.)

(Councillor Ritchie left the meeting at 9.26am.)

(Councillor Ritchie returned to the meeting at 9.27am.)

(Councillor Ahipene-Mercer joined the meeting at 9.31am.)

(Councillor Morrison left the meeting at 9.38am.)

(Councillor Morrison returned at 9.45am.)

NOTED:

1. Councillors Pepperell and Ritchie requested that their dissenting votes be recorded.
2. The resolution differs from the recommendations in the officer's report as follows:

The Committee added the words in **bold**.

195/11P **OPTIONS TO FACILITATE THE STOPPING AND SALE OF
SURPLUS UNFORMED LEGAL ROAD (9.52AM – 10.23AM)**
Report of Bryan Smith - Principal Policy Advisor
(1215/52/IM) (REPORT 3)

Moved Councillor McKinnon, seconded Mayor Wade-Brown, the substantive motion.

(Councillor Ritchie left the meeting at 10.19am)

(Councillor Ritchie returned to the meeting at 10.21am)

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Agree to a package of initiatives to facilitate stopping and sales of surplus unformed legal road comprising:*
 - (a) *Applying a continuous improvement approach to internal Council processes to reduce processing times and costs where possible;*
 - (b) *Introducing a “cost sharing” regime where:*
 - (i) *prospective buyers have the opportunity to lock in a land valuation early in the road stopping process, and that valuation will be binding on both parties provided the road stopping is completed within 18 months and subject to final survey, though this period could be extended at the Council’s discretion where a stopping proposal is referred to the Environment Court;*
 - (ii) *property owners continue to meet costs as they are incurred, but a proportion of these costs will be deducted from the land valuation in order to establish a final settlement price;*
 - (iii) *deductions are the lesser of: actual costs; or an amount calculated as 15 percent of the land value plus \$500; up to a maximum deduction of \$12,500;*
 - (iv) *for transactions below \$15,000 of land value, deductions, if any, would be by agreement between the Council and proponents, but would not exceed the deductions applicable using the formula above.*
 - (c) *Ensuring that when a proposal for road stopping and purchase is received, surrounding landowners are invited to also consider purchase options, if appropriate.*
3. *Agree to recommend to Council that it adopts the amendments to the “Road Encroachment and Sale Policy” attached as appendix one to this report, which reflect the package of initiatives described above, and that the revised policy takes effect immediately.*
4. *Delegate to the Chief Executive Officer and Transport (public transport and roading) Portfolio leader, the authority to make editorial changes and any changes agreed by the Committee prior to the amendments attached as appendix one being referred to Council.*

5. *Agree to recommend to Council that it delegate to the Chief Executive Officer and Transport (public transport and roading) Portfolio leader, the authority to make editorial changes and any changes agreed by Council prior to the revised Road Encroachment and Sale Policy being released.*
6. *Note that officers will write to existing encroachment holders reminding them of the potential for road stopping and sale and advising them of the initiatives described above;*
7. *Agree to seek public feedback on the following “leasing proposal”:*
 - (a) *allowing(at the Council’s sole discretion), property owners to lease unformed legal road, as an alternative to an encroachment licence;*
 - (b) *in most instances property owners seeking exclusive private use of unformed legal road would have the option of pursuing either an encroachment licence or lease;*
 - (c) *the Council may, at its discretion, decline to offer an encroachment licence and instead offer only a lease. The Council would generally exercise this discretion only where:*
 - (i) *property owners propose using unformed legal road to meet any off-street parking requirements of a resource consent. Note that where a licence has previously been issued and a new application is received to use this licence to meet a new resource consent requirement, the Council may terminate the licence and offer only a lease as an alternative;*
 - (ii) *the land in question is of exceptionally high value compared to other unformed legal road land in the relevant suburb;*
 - (d) *the duration of leases would be at the discretion of the Council, but would be for less than 35 years;*
 - (e) *the Council would retain the right to terminate leases with six-month’s notice and any structures on the land would need to be removable within the 6 month notice period;*
 - (f) *costs incurred by the Council in processing lease applications would be recovered from applicants, with fees set as part of the annual plan or Long-term plan process;*
 - (g) *the fee for the lease would be based on a market valuation of the lease, taking into account any conditions imposed by Council in the lease;*

- (h) *a one-off fee would be charged covering the lifetime of the lease (noting that the Council may allow payments to be spread over time at its discretion) and no further rental charges would be imposed;*
 - (i) *other lease conditions may be set at the Council's discretion;*
 - (j) *that the Wellington Consolidated Bylaw 2008, Part 5 Public Places, Section 17 "Encroachments" be amended to be consistent with the issuing of encroachment leases.*
9. *Agree that the "leasing proposal" be included in the consultation for setting road encroachment rental fee rates and transition measures, which was agreed by the Strategy and Policy Committee in April 2011 to be included in the 2012-22 Long-term plan process.*

NOTED:

Councillor Ritchie requested that her dissenting vote be recorded.

(The Committee adjourned for morning tea at 10.25am and resumed at 10.50am.)

(Mayor Wade-Brown, Councillors Best, Cook, Gill, Lester, Marsh, Pannett, Pepperell and Ritchie were present when the meeting reconvened.)

(Councillors Chris Peterson from Masterton District Council, Tim Sheppard from Porirua City Council and Penny Gaylor from Kapiti Coast District Council joined the meeting at 10.50am to participate in the oral hearings.)

196/11P **ORAL HEARINGS – DRAFT WASTE MANAGEMENT AND MINIMISATION PLAN** (10.50AM – 11.59AM)
(1215/52/IM) (REPORT 1)

NOTED:

(Councillor McKinnon returned to the meeting at 10.51am.)

(Councillor Coughlan returned to the meeting at 10.51am.)

1. Michael Scott (submission 145) addressed the Committee in support of Wellington City Council participating in regional waste minimisation initiatives. While Mr Taylor agreed that all of the items outlined in the draft Waste Management and Minimisation Plan were desirable, he was critical of the generalised structure and terminology

of the report. Mr Taylor recommended the establishment of specific targets against which performance could be measured.

(Councillor Ahipene-Mercer returned to the meeting at 10.57am.)

2. Raewyn Berkahn representing Box Hill Kids (submission 43) addressed the Committee in support of the draft Waste Management and Minimisation Plan, in particular its focus on education. Mrs Berkahn encouraged the Council to promote sustainable practices amongst the cities youngest citizens. Mrs Berkahn further asked for the Council to consider increasing financial support for the recycling costs of early childhood centres and schools, ask encouraged the Council to open a disposable nappy composting service, similar to the Envirocomp service in Christchurch.
3. Anne Stevens and James (kindergarten student) representing Seatoun Kindergarten (submission 51) addressed the Committee in support of the draft Waste Management and Minimisation Plan. Ms Stevens did however encourage the Council to extend recycling collection services to all schools and kindergartens in Wellington.

(Councillor Ritchie left the meeting at 11.29am.)

(Councillor Gill left the meeting at 11.30am.)

(Councillor Ritchie returned to the meeting at 11.32am.)

(Councillor Gill returned to the meeting at 11.32am.)

(Councillor Lester left the meeting at 11.32am.)

4. Owen Douglas representing Carbon Recovery Ltd (submission 136) addressed the Committee in support of the draft Waste Management and Minimisation Plan. Mr Douglas explained that while there is no specific mention of how the Council planned to divert scrap tyres from landfills, his company was able to recover and process all end-of-life tyres through a zero waste recycling programme.

(Councillor Coughlan left the meeting at 11.57am.)

(Councillor McKinnon left the meeting at 11.57am.)

The meeting concluded at 11.59am.

Confirmed. _____

Chair

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